

Town of Whitestown

Electronic Communications Retention Policy

The purpose of this policy is to establish an electronic communications policy for all Town offices that create, use, and manage electronic communications as part of the transaction of Town business.

I. Intent

To establish guidelines that will promote the effective capture, management, and retention of e-mails and electronic communications.

II. Scope

This policy applies to all Town provided electronic communications equipment for Town business use.

III. Definitions

A. E-mail messages are similar to other forms of communicated messages such as correspondence, memoranda, and letters. These include non-record (transitory) e-mails and public-record e-mails.

B. Non-record or Transitory Electronic Communications are considered to have no administrative, legal, fiscal, or archival requirements for their retention. Examples of such non-record electronic communications include the following:

1. Personal correspondence not relating to conducting Town business such as lunch invitations, unsolicited advertisements, and spam;
2. Routine requests for information or publications which require no administrative action, policy decision, or special compilation or research, and copies of replies;
3. Originating office copies of letters of transmittal that do not add any information to that contained in the transmitted material;
4. Quasi-official notices including memoranda and other records that do not serve as the basis of official actions (i.e., holiday notices, meeting confirmations, etc.); and/or
5. Non-e-mail electronic communications including, but not limited to, instant messaging, texting, paging, voice recording, and other electronic communication technologies other than e-mail.

C. Public-record E-mails include any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by the Town.

Examples of e-mails that may constitute a public record (not confidential) include the following:

1. Policies and directives;
2. Correspondence or memoranda relating to official business (excluding duplicates);
3. Agendas and minutes of meetings;
4. Any document that initiates, authorizes, or completes a business transaction; and/or
5. Final reports or recommendations.

In addition, confidential or partially confidential e-mails are required to be retained as required by the appropriate retention schedule.

Examples include the following:

1. E-mails and electronic communications declared confidential by state statute;
2. E-mails and electronic communications required to be kept confidential by federal law;
3. Investigatory records of law enforcement;
4. Attorney work product;
5. Personnel file information (except for information that must be disclosed);
6. Intra- or interagency deliberative materials – expression of opinion or speculative in nature and communicated for purpose of decision making; and/or
7. E-mails and electronic communications covered by Indiana Court Administrative Rule 9.

IV. Responsibility for Retention

The sender of the e-mail is responsible for ensuring proper retention of e-mails sent within the Town. All other copies of internal e-mail are duplicates and may be deleted. However, if an e-mail was sent by an outside agency, a member of the public or anyone outside the Town enterprise, the recipient is responsible for retention.

Warning –Each department is responsible for complying with its retention schedule for its electronic records and for complying with that retention schedule. The Town’s designated IT personnel or consultant is not responsible for the long-term retention of these records.

V. Method of Retention

E-mail records that have not met their retention should be saved by one of the following methods:

1. Maintain a Sent Folder that ensures sent e-mails are retained and not deleted.
1. Print the e-mail and store the hard copy in the appropriate file.
2. Move the e-mail out of the e-mail system.
3. Archival software.

Each department shall select the method of retention for that department.

VI. Mail Attachments

Attachments should be retained or disposed of according to the content of the attachment itself based on its appropriate retention, not the e-mail which transmits the attachment.

VII. E-mail Archival

Data in the mailbox (including the inbox, sent items, drafts, contacts, and calendar items) will be archived by the designated IT personnel or consultant for a period of three years. Mailbox items will be archived in real-time. After three years, e-mails will be purged, and therefore, the user and the Town Department have the responsibility to save electronic records before the three years have concluded when the retention is longer than three years. Contacts and Calendar items will not be purged as part of this process; it will be up to user to determine if those items need to be purged for space requirements.

VIII. Archived E-mails

To prevent the loss of e-mail after the three year archival period, the user may:

1. Print the e-mail and store the hard copy in the appropriate file.
2. Move the e-mail out of the e-mail system.

IX. Personal Storage Table (.pst) files

The use or creation of .pst files is not supported by the Town's designated IT personnel or consultant. PST files are not part of the e-mail system.

X. Litigation Proceedings

Regardless of retention requirements, e-mail and all other electronic correspondence pertaining to threatened or actual legal proceedings must be retained until the litigation is finally concluded. It is the responsibility of the department involved to notify the Town's designated IT personnel or consultant, in writing, of the need for the hold on the destruction of electronic communications.

XI. Responding to Public Records Request

It is the responsibility of the department involved to immediately notify the Town's designated IT personnel or consultant, in writing, of a public records request if the designated IT personnel's or consultant's assistance is required to provide the public records.

XII. E-mail Accounts When Employee Leaves Employment

When an employee is no longer employed with a Town department, it is the responsibility of that department to immediately notify the Town's designated IT personnel or consultant. That user's mailbox will be maintained for 60 calendar days. Individual user mailboxes will be purged after 60 calendar days unless that former employee's department head requests an extension, in writing or the Town's designated IT personnel or consultant is notified items in the e-mail must be managed by another user. It is the department's obligation to ascertain that electronic records stored by the former employee will be met and that items are safeguarded before the 60-day purge is completed.

X. Amendments

The Town reserves the right to amend or revise the contents of this policy as deemed suitable. Each employee will be provided with a notice of all amendments and revisions to this policy.